

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date:	January 2, 2025	Level of Review:	Level 4 Review
PC Date:	March 5, 2025	Type:	LDC Text Amendment
BoCC Date:	April 1, 2025	Case Numbers:	LDCT-2024-28
	April 15, 2025	Case Name:	I-4 SAP Revision
Applicant:	Polk County	Case Planner:	Ian Nance

Request:	An applicant-initiated LDC Text Amendment to Chapter 4, Section 401.01, I-4/NE Parkway Plan Districts, to remove outdated criteria and requirements for residential development.
DRC Recommendation:	Approval
Planning Commission Vote:	Approval 7-0

Among the changes to Chapter 2:

- Section 401.01 – Remove tier requirements for gaining density in favor of the density requirements and Planned Development process used elsewhere in the County.

Summary:

As a planning tool, the utility and usefulness of the I-4 Selected Area Plan (SAP) has expired. Polk County’s original SAP, it was based on the vision of area property owners around 1990. With the adoption the Land Development Code (LDC) in 2000, and with updates in 2009, policies were implemented that allowed increased density through a Tier system which required higher development standards in exchange for lower levels of review.

Today, little remains of the original SAP boundaries or its intentions. Annexation and changes in land use by the cities of Lakeland and Auburndale, the construction of the Polk Parkway, the arrival of Florida Poly Tech, an influx in warehousing and distribution uses, along with the improvements to Braddock and Pace Roads have eroded the original concept of the SAP, at least as it pertained to residential development. What remains is a set of development guidelines that are intended to meet goals that can no longer be achieved; are inferior or redundant to residential standards adopted elsewhere in the County; or simply creates too much confusion with other Comprehensive Plan and LDC criteria.

The goal of this amendment is to release properties from these specific standards. If adopted, base densities for residential land use designations in the I-4 SAP will revert to those found throughout the County. Property owners who wish to exceed these densities will still be required to submit for a PD, pursuant to LDC Section 303.

Relevant Sections, Policies, and/or Regulations to Consider:

Comprehensive Plan Policy 2101A-A1 LDC Implementation
Comprehensive Plan Policy 2.101 Future Land Use Element
Comprehensive Plan Policy 2.125-M Planned Development
Comprehensive Plan Policy 2.131-A I-4/NE Parkway Selected Area Plan
LDC Section Table 2.2 Density and Dimensional Regulations for Standard Districts
LDC Section 303 Planned Developments
LDC Section 401.01 I-4/NE Parkway Plan
LDC Section 906 Level 3 Reviews

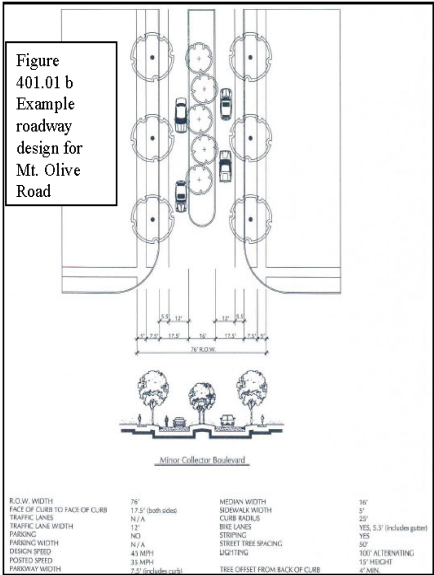
Findings of Fact

- *This is an applicant-initiated LDC Text Amendment to Chapter 4, Section 401.01, I-4/NE Parkway Plan Districts, to remove outdated criteria and requirements for residential development.*
- *Comprehensive Plan POLICY 2.101A-A1 states, “Polk County will implement and update the Land Development Code (LDC) whenever necessary to ensure the public health, safety, and welfare of the citizens of unincorporated Polk County.”*
- *Comprehensive Plan GOAL 2.131-A: I-4/NE PARKWAY SELECTED-AREA PLAN states this SAP “is a vision based developed from area property owners around 1990. This vision lead to the creation of the Polk Commerce Centre Community Redevelopment Area (CRA) and the Polk Commerce Centre Development of Regional Impact. The objective of this planning effort is to provide an area of mixed uses where people can live, work, and play.”*
- *The CRA was first adopted in 1993. An interlocal agreement between the County and city of Auburndale dated March 6, 2018, stated the County would dissolve the CRA once outstanding debts were fully repaid. This debt obligation was satisfied in 2019. On March 19, 2019, the Board adopted ordinance 19-014 which dissolved the Polk Commerce CRA.*
- *The DRI was first adopted in 2000. On May 5, 2010, the Board adopted CPA 09-DRI-02, a substantial deviation to the DRI that adjusted future land use designations in the SAP and amend policies within the Comprehensive Plan and LDC to ensure consistency with the DRI. The DRI expired when it met its build out date in 2016.*
- *Comprehensive Plan POLICY 2.131-A9: ROADWAY DESIGN AND MULTI MODAL COLLECTOR ROADWAYS states, “Improvements to existing roadways and the construction of new roadways shall increase travel efficiency and enhance public safety. Proposed roadway network within this SAP is depicted on the SAP FLUM in terms of their general location as dashed lines. Their final placement may deviate somewhat from these general locations without the necessity of processing a Comprehensive Plan Amendment (CPA) provided that the access and capacity provided by that transportation corridor are generally maintained.”*

- *Comprehensive Plan POLICY 2.131-A10, Performance Standards, states, “For those areas of the County located within the I-4/NE Parkway SAP and that are in the Transit Supportive Development Areas (TSDA), if there is a conflict between the density or intensity incentives established in the TSDA or the Transit Corridors and Centers Overlay (TCCO) and the densities and intensities established within the I-4/NE Parkway SAP, the densities and intensities in Policy 2.104-A7 for the TSDA or TSDA with the TCCO shall take precedence. However, where the development criteria established within this SAP are more stringent than the development criteria found within the TSDA or TSDA with the TCCO, the development criteria for this SAP shall take precedence.”*
- *Comprehensive Plan POLICY 2.131-A16 states, “All development within the I-4/NE Parkway SAP shall be reviewed and receive approval through the County's development review procedures for conformance with County development regulations, the Comprehensive Plan, and the Land Development Code.”*
- *LDC Table 2.2 lists the following base residential densities by Future Land Use designation. In parenthesis is the maximum density allowed by the Comprehensive Plan in the Transit Supportive Development Area (TSDA) but outside the Transit Corridors and Centers Overlay:*
 - *Residential Low-1: 1 du/ac (7 du/ac)*
 - *Residential Low-2: 2 du/ac (7 du/ac)*
 - *Residential Low-3: 3 du/ac (7 du/ac)*
 - *Residential Low-4: 4 du/ac (7 du/ac)*
 - *Residential Medium: 7 du/ac (10 du/ac)*
 - *Residential High: 15 du/ac (15 du/ac)*
- *LDC Section 401.01 states, “The I-4/NE Parkway plan districts implement the I-4/NE Parkway Selected Area Plan (SAP) of the Polk County Comprehensive Plan. Development within the I-4/NE Parkway plan districts shall comply with all land use requirements and development standards contained in the I-4/NE Parkway Selected Area Plan (SAP) in Section 2.131-A of the Polk County Comprehensive Plan as well as conditions in the Polk Commerce Centre Development of Regional Impact Development Order for those areas of this SAP that are within the DRI.”*
- *LDC Section 401.01.9, Multi-modal Collector Roadway System, states, “This roadway system is based on state and regional plans for this area as well as the Polk Commerce Centre Community Redevelopment Area (CRA) Redevelopment Plan, as amended. This system is shown on the SAP FLUM map as dashed lines and also includes 1) all roads that will intersect with the proposed roads and Berkley Road and/or the Polk Parkway, and 2) Berkley Road, CR 559-A, Pace Road, and Braddock Road.*
 - a. *Prior to Level 2 Review approval or at time of Level 5 Review approval, right-of-way shall be dedicated for the Multi-Modal Collector Road System designated on the FLUM for this SAP by all development, adjacent to the roadways or accessing*

the roadways, and shall comply with all standards as listed within relevant Sections of the LDC.

- b. *At a minimum, sidewalks shall be required per Chapter 7, and along both sides of the Multi Modal Collector Road system as designated on the SAP FLUM and DRI master development plan (MAP H) consistent with the requirements in Chapter 7. Bike lanes, or appropriate paved shoulders, shall also be required along both sides of the Multi Modal Collector Road system as designated on the SAP FLUM and on the DRI master plan (Map H).*
- c. *The right-of-way for the roadways listed in this Section shall be a minimum of 80 feet and may be required to be 120 feet as determined during the Level 2 Review process. The purpose of this right-of-way is to ensure a complete street system that includes sidewalks and pavement for bike lanes or the appropriate pavement width for a bike lane on both sides and be consistent with the Cities of Lakeland, Auburndale, and Polk City roadway designs and needs.*
- d. *At a minimum, sidewalks shall be constructed on at least one side of local roads intersecting these roadways.*
- e. *Multi use facilities may be used in lieu of bike lanes, or appropriate paved shoulders, and sidewalks in accordance with local and state standards.*
- f. *Mt. Olive Road Extension, the north/south road on the east side of the Polk Parkway, is required per the Polk Commerce Centre Development of Regional Impact (DRI) Development Order. The figure below is the design of the roadway anticipated by the City of Lakeland to be constructed within the Williams DRI. The design of the Mt. Olive Road Extension shall be based on input from the cities of Lakeland, Polk City, Auburndale, and Lake Alfred and shall meet the requirements of this Section.*



- g. Alternative to the items above may be proposed through a PD or in accordance with standards in Section 931 and 932 respectively, of this LDC. The technical standards are not intended to be waived but altered based on property hardships.**
- LDC Section 401.01.01.F states, “The dimensional regulations for structures that are to be placed within the land use districts of this SAP are prescribed in Table 4.1.a and b. Variances to the regulations within this table may be requested pursuant to Chapter 9 except for the maximums of the Floor Area Ratios (FAR) and densities as these are set within the Comprehensive Plan for this SAP. Height limitations maybe approved over that set forth in Table 4.2.a as listed in the footnotes. This may require additional approval of the Joint Airport Zoning Board.

Achieving maximum densities and FAR shall be based on meeting the Tiered requirements for the desired intensity. There are three successive Tiers (levels) of development requirements. Participation in a higher Tier requires compliance with all the standards of the preceding Tiers. The higher intensities are granted upon the completion of a Level 2 Review process after the applicant illustrates that all requirements for the proposed Tier have been met. Incentive bonuses expire with the expiration of the Level 2 plans. Alternatives to addressing the specific requirements of the Tiers to achieve the higher densities and intensities may be granted through the approval of a Planned Development per the requirements of the relevant sections of the LDC.

The requirements and the higher intensities are based on the following:

1. Tier 1 - meeting all relevant requirements of this Code and SAP;
2. Tier 2 - meeting all relevant requirements of this Code, SAP and the following:
 - a. Internal street lighting designed to minimize off site glare consistent with Figure 401.01.01 a below;
 - b. Walls consistent with Figure 401.01.01 b below;
 - c. Sidewalks on all roadways within and adjacent to the development;
 - d. Increasing required open space by five percent (5 %); and
 - e. Recessed garages for residential uses.
3. Tier 3 - meeting all of Tier 1 and 2 and the following:
 - a. Construction of the proposed Multi Modal Collector Road System that is adjacent to or through a project;
 - b. Mixed use building for projects including both residential and non-residential;
 - c. Use of green building practices for 75 percent (75%) of all buildings and 75% of the property such as but limited to the use of solar energy for hot water heaters, use of solar energy for electricity, insulation that meets green building standards, use of 100% LED lighting, Low Impact Design, or items supported by the United State Green Building Coalition and the Florida Green Building Coalition Green Building Designation Standard;

- d. *No disturbance of any on-site wetlands, which shall be included in an easement that provides for the perpetual protection of the wetlands as well as other on-site natural resources.*

...

- *LDC Section 401.01.01.F.5 states that residential development in the I-4 NE/Parkway Selected Area Plan is “planned for compact, efficient growth. In order to determine how to achieve a certain density, refer to Table 4.1b. This table indicates those densities that may be achieved by implementing the Tiers as described above. The lot sizes and unit types shall be consistent with other relevant chapters of this LDC. Residential density increases in the MUX, IACX, and BPCX shall be consistent with the residential Future Land Use district which closely matches the allowable densities in MUX, IACX, and BPCX. **Variations to the requirements listed in the Tiers shall require the approval of a Planned Development through a Level 3 Review.***

Table 4.1 b							
Residential Land Use Districts (Maximum Density du/ac)							
Density (du/ac)	RL-1X	RL-2X	RL-3X	RL-4X	Density (du/ac)	RMX (3)	RHX (3)
#1	Tier 1	Tier 1	Tier 2	Tier 3	> 5 - 8	Tier 3	Tier 2
> 1 - 2	Tier 2	Tier 1	Tier 2	Tier 2	> 8 10	Tier 3 and PD per Chapter 4	Tier 1
> 2 - 3	Tier 3	Tier 2	Tier 1	Tier 1	> 10 - 12		Tier 3
> 3 - 4	Tier 3 and PD per Chapter 3	Tier 3	Tier 2	Tier 2	> 12 - 15		Tier 3 and PD per Chapter 3
> 4 - 5	Tier 3 and PD per Chapter 3	Tier 3 and PD per Chapter 3	Tier 3	Tier 3			
(Revised 10/06/10 - Ord. 10-070)							

- *The I-4 SAP is approximately 2,457 acres. The following is a breakdown of residential acreage by Future Land Use district in the I-4 SAP:*
 - *Residential Low-1: 0 acres*
 - *Residential Low-2: 180.44 acres*
 - *Residential Low-3: 51.64 acres*
 - *Residential Low-4: 41.07 acres*
 - *Residential Medium: 387.27 acres*
 - *Residential High: 136.34 acres*
- *LDC Section 912 allows any property owner, BoCC, or agency to apply to the Department to amend the text of this Code, the text of the Comprehensive Plan, or the Future Land Use Map Series (FLUMS) in compliance with procedures prescribed by the Department.*

- *This application has been reviewed for consistency with applicable Comprehensive Plan and LDC policies.*

The Land Development Division, based on the information provided with the proposed text amendment application, finds that the proposed text change request is **CONSISTENT** with the Polk County Land Development Code and the Polk County Comprehensive Plan. Staff recommends **Approval of LDCT-2024-28**.

On March 5, 2025, the Planning Commission voted 7-0 to recommend approval of this application.

Analysis:

According to the Comprehensive Plan, the I-4 SAP was a vision developed by area property owners around 1990 which led to the creation of the Polk Commerce Centre Community Redevelopment Area (CRA) and the Polk Commerce Centre Development of Regional Impact (DRI). The objective of this planning effort was to provide an area of mixed uses where people can live, work, and play in an area surrounding the then-planned Polk Parkway between the cities of Lakeland and Auburndale. The SAP was adopted into the Comprehensive Plan in 1991 with a Future Land Use Map adopted in 1992 (Exhibit 2).

The SAP boundaries currently reflect those of the DRI (Exhibits 1 & 3), which was approved for residential, retail, and business park uses such as offices, research and development, and light assembly, but the SAP was once much larger, covering properties annexed into the cities of Lakeland and Auburndale (Exhibit 4). The DRI ceases to function as a land use planning tool, since it met its build-out date in 2016. The CRA was dissolved by the Board in 2019.

The driving development factor for this area was the planning and construction of the Polk Parkway in the late 1990s, followed by Florida Poly Technic University opening in Lakeland west of the Parkway in 2012. Soon after, improvements were made to Pace and Braddock Roads to provide connectivity between the Parkway and Berkley Road. This included expanding these roads into four-lane divided highways with bicycle lanes and sidewalks.

With proximity to I-4 and Lakeland becoming a distribution hub between Tampa and Orlando, demand for warehousing supplanted other uses within the available BPC future land use districts. Finally, demand for residential development has not been as intense in what remains of the SAP as elsewhere in the County. Notable exceptions include the single-family developments of Auburn Cove, east of the Parkway and north of Pace Road, and Hickory Ranch to the west of the Parkway and just north of Saddle Creek Road.

In essence, the utility of the SAP has severely diminished. The DRI and CRA are both expired. What undeveloped properties remain are beholden to a set of standards that are no longer applicable, or which have been replaced with newer criteria.

When the LDC incorporated the I-4 SAP, residential densities were provided based on a tier system, a planning tool, similar to Bonus Density Points, that allows higher densities in exchange for meeting certain benchmarks, such as increased open space or internal sidewalks. At the highest

Tier, there is usually investment into public infrastructure, but the exchange is that with this investment and higher densities, an applicant can proceed to a Level 2 Review, forgoing a public hearing, whereas increases in density otherwise require a Planned Development and Level 3 Review.

In the I-4 SAP, Tier 3 requires:

- a. Construction of the proposed Multi-Modal Collector Road System that is adjacent to or through a project;
- b. Mixed use building for projects including both residential and non-residential;
- c. Use of green building practices for 75 percent (75%) of all buildings and 75% of the property such as but limited to the use of solar energy for hot water heaters, use of solar energy for electricity, insulation that meets green building standards, use of 100% LED lighting, Low Impact Design, or items supported by the United States Green Building Coalition and the Florida Green Building Coalition Green Building Designation Standard;
- d. No disturbance of any on-site wetlands, which shall be included in an easement that provides for the perpetual protection of the wetlands as well as other on-site natural resources.

Staff has found these standards to be outdated. For wetlands, LDC Section 630 prohibits residential lots within wetlands. The only impacts that can be made are for access, and only as last resort and after being mitigated. For residential-based mixed-use developments (RBMDs), these are not currently allowable uses in the SAP and were intended primarily for the MUX land use district. Of these four, the one standard with the most merit remaining is the requirement for green building practices, though the County does not require them elsewhere, and they are difficult to implement through the LDC without corresponding building code to support them.

The most difficult standard to overcome, however, is the construction of the Multi-Modal Collector Road System. When the Future Land Use Map for the I-4 SAP was adopted, it depicted several planned roads to provide connectivity within this area (Exhibit 3). The improvements to Pace and Braddock roads have effectively ended this program, and some potential roads cannot be realized due to development having already been constructed in their proposed pathways.

Currently, to develop to Tier 3 would require adhering to this standard – building a road that is not possible to be built – or gain a variance through the Planning Commission. In the past, developments have come before the Planning Commission for other reasons, such as reduced setbacks or lot sizes, and the variance from the tiers has been weighed at that time. However, there are instances when a property cannot develop at a baseline or even lower density without using this tier system.

For instance, the I-4 SAP requires adherence to Tier 3 standards for residential densities between five and eight units per acre in Residential Medium. No clear instruction is provided if an applicant

wants to go below these numbers, which is problematic since most single-family subdivisions develop below 5 DU/AC. At any rate, the baseline density elsewhere in the County for RM is 7 DU/AC with a maximum of 10 DU/AC through a PD. Similarly, if an applicant in RL-4 wanted to split property into one-acre lots, he or she would be required to meet the Tier 3 standard, an onerous requirement, especially if the land is limited in acreage.

One further complication remains for assigning density in the I-4 SAP. Large sections of this SAP are within a Transit Corridors and Centers Overlay of the Transit Supportive Development Area (TSDA) which allows higher densities and intensities of development, if development criteria in the Comprehensive Plan are implemented. Due to an administrative determination made in 2023 (LDAD-2023-1), densities within the TSDA and this overlay are permitted by-right with no need for a public hearing, unless other standards (setbacks, lot sizes) require deviation.

Comprehensive Plan POLICY 2.131-A10 states, “For those areas of the County located within the I-4/NE Parkway SAP and that are in the TSDA, if there is a conflict between the density or intensity incentives established in the TSDA or the Transit Corridors and Centers Overlay (TCCO) and the densities and intensities established within the I-4/NE Parkway SAP, the densities and intensities in Policy 2.104-A7 for the TSDA or TSDA with the TCCO shall take precedence. However, where the development criteria established within this SAP are more stringent than the development criteria found within the TSDA or TSDA with the TCCO, the development criteria for this SAP shall take precedence.”

This language remains open to interpretation, and certainly creates confusion for staff and applicants, since the SAP densities are dependent upon specific development criteria. Given that little development has been proposed within these areas which would require additional density considerations the TSDA could provide, this issue remains unresolved.

Beyond difficulties in implementation, the goals of the tier system have been replaced by recent Board decisions to strengthen residential development standards. In 2024, the Board adopted an overhaul of the Planned Development process, instituting location criteria to establish density eligibility. Open space and recreation standards were enhanced, with attention paid to increased buffering, improved stormwater facilities, and preservation of wetland buffers. Other recent amendments require shielded and recessed lighting; internal sidewalks; tree to be planted in lots; and increased setbacks for garages, essentially fulfilling the other goals of the I-4 SAP tiers.

In summary, this amendment removes a confusing layer of development rules that are either redundant or obsolete. Since the adoption of the SAP, the County has strived to improve residential development and has incorporated numerous amendments to make what were once incentives now standards for higher quality development. Staff agrees with the changes proposed by the applicant – eliminate the special standards for the I-4 SAP and incorporate those used elsewhere throughout the County.

Benefit-cost Analysis of the Amendment

Who does it help?

This amendment helps property owners and the public within the SAP to have a clearer expectation of the applicable development standards. This will eliminate contradicting and confusing policies.

Who does it hurt?

Staff does not anticipate any harm with this amendment. Ultimately, this comes down to a matter of capably and coherently applying development standards.

What is the cost?

Staff does not anticipate any costs with this change.

Limits of the Proposed Ordinance

This ordinance will apply to properties only within the I-4 SAP. There are no impacts to the Green Swamp Area of Critical State Concern (ACSC).

Consistency with the Comprehensive Plan & Land Development Code

The request is consistent with the Comprehensive Plan and the Land Development Code.

Comments from Other Agencies: No Comments

Draft Ordinance: Under separate attachment

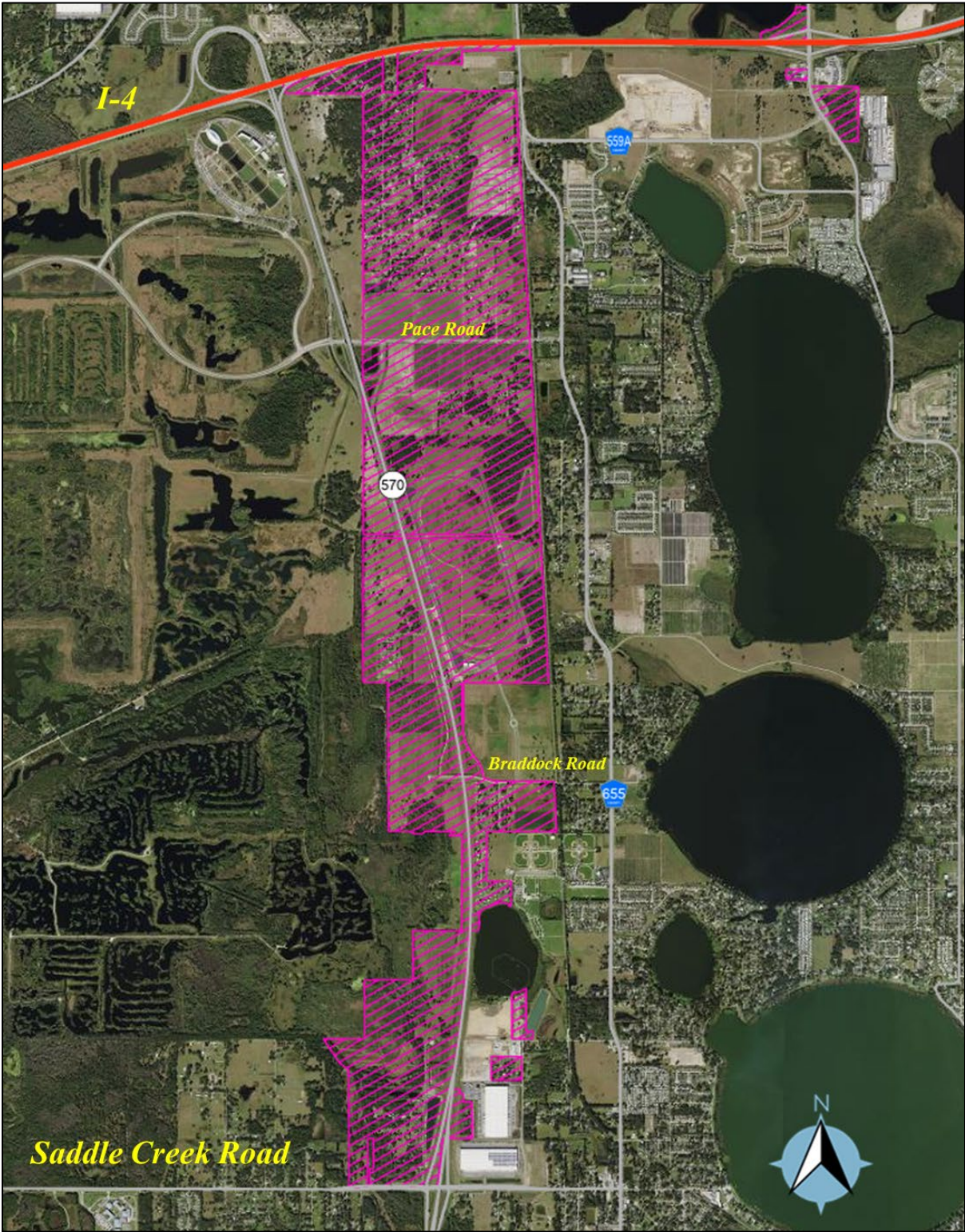
Exhibits

Exhibit 1: I-4 SAP Aerial

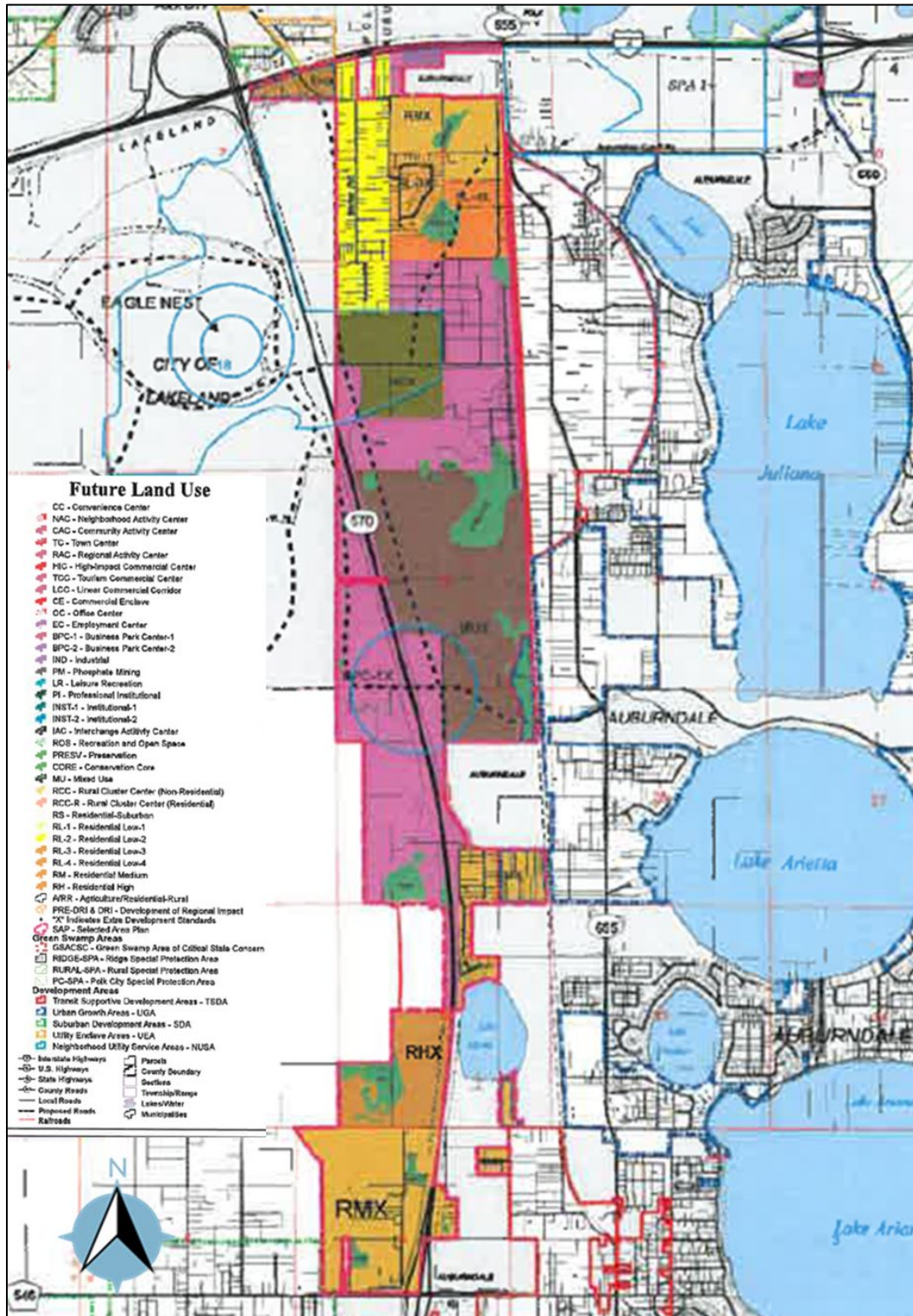
Exhibit 2: I-4 SAP Land Use Map (November 1992)

Exhibit 3: I-4 SAP Land Use Map (August 2010)

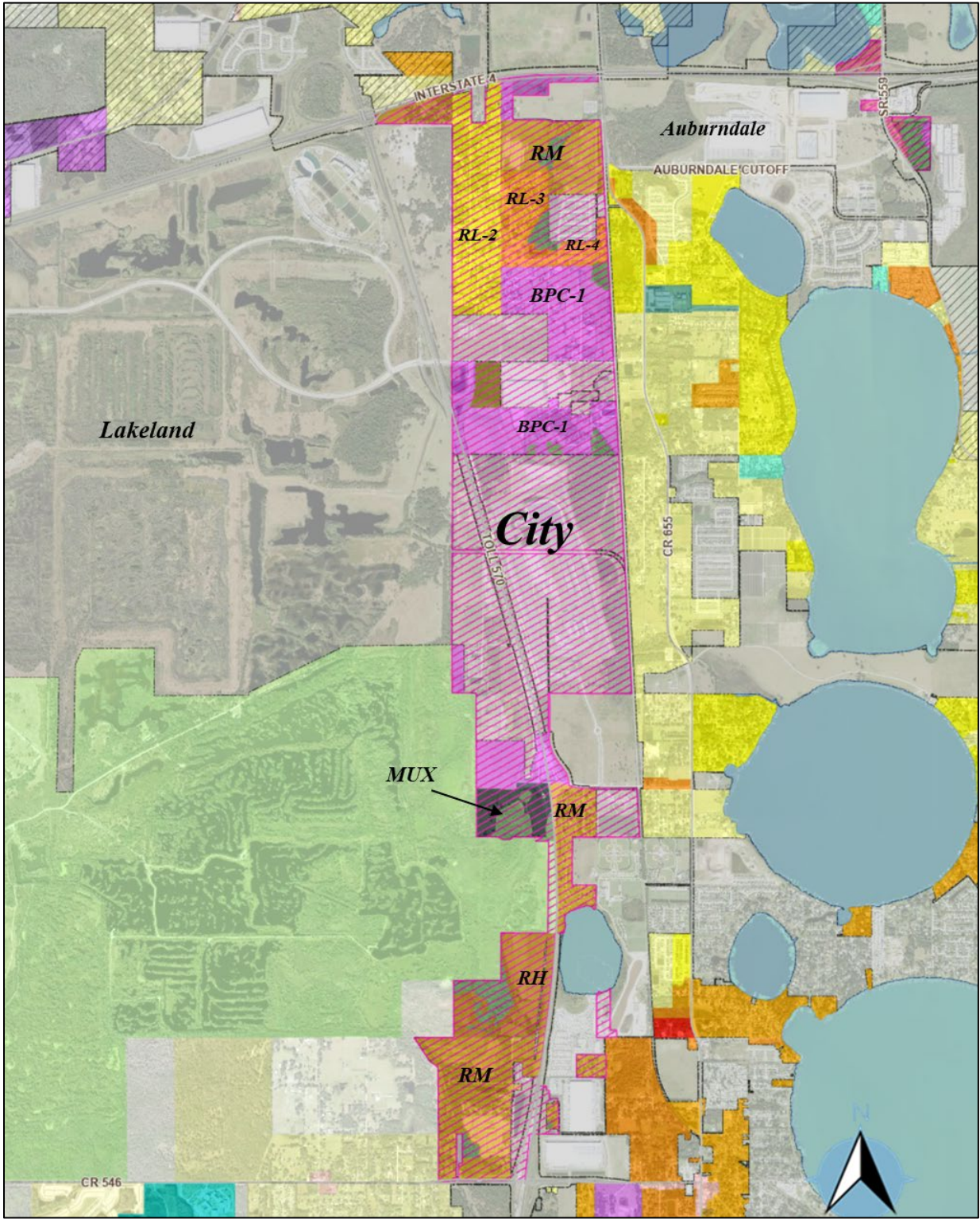
Exhibit 4: I-4 SAP Current Future Land Use Map



I-4 SAP Aerial



I-4 SAP FLUM (August 2010)



I-4 SAP FLUM (Current)